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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,800	09/12/2003	Jaroslav Belik	1814-19001	8366
23505	7590	06/05/2006	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			OKEZIE, ESTHER O	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,800	BELIK, JAROSLAV	
	Examiner	Art Unit	
	Esther O. Okezie	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 11, 12, 14-16, 18 and 22-25 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-21 and 26-28 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 9, 13 and 29 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 6-8, 10, 17, 30 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on 3/20/06 and the remarks presented therewith have carefully considered. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a supporting means for a cam member including a body having a top end and a bottom end, wherein said top and bottom ends lie in planes substantially perpendicular to said longitudinal axis of said cam member must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,5,9,13 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Penisson US 5,609,226.
2. Re claim 1, Penisson discloses a gripping assembly for cylindrical bodies comprising: a jaw body (body portion 24 includes mounting block 46 which is pushed radially inward by hydraulic cylinder 60 for engagement with the pipe; col. 7, lines 34-62) for delivering the gripping apparatus to the cylindrical member; an insert (slip body 34 with teeth as seen in figures 1,3,4, and 7) having teeth for gripping the cylindrical member, wherein said insert is supported by and movable relative to said jaw body; a cam member (pivot member 44) having a longitudinal axis (86; col. 8, lines 50-54), wherein said cam member is rotatably supported by said jaw body and said cam

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member is movable relative to said insert; and wherein said cam member is disposed between said jaw body and said insert and configured to engage said jaw body and said insert such that when said insert moves relative to said jaw body and said cam member, said cam member rotates about said longitudinal axis (col. 6, lines 43-54; col. 7, lines 63-67; col. 8, lines 1-14).

3. Re claim 5, a plurality of said inserts and a plurality of said cam members such that when a force is applied to said inserts, said inserts move and said cam members rotate substantially simultaneously, thereby intensifying the gripping force exerted on the cylindrical member (abstract; col. 3, lines 20-67; see "self tightening": col. 4, lines 35-43; col. 6, lines 43-64).

4. Re claim 9, a means (pivot pin 66) for supporting said cam member.

5. Re claim 13, a means (pivot body 44) for supporting said insert.

6. Re claim 29, Penisson discloses a method for gripping a cylindrical member, the method comprising: delivering a gripping apparatus to the cylindrical member, the gripping apparatus comprising: a jaw body for delivering the gripping apparatus to the cylindrical member; an insert having teeth for gripping the cylindrical member, wherein said insert is supported by and movable relative to said jaw body; a cam member having a longitudinal axis, wherein said cam member is rotatably supported by said jaw body and said cam member is movable relative to said insert; and wherein said cam member is disposed between said body and said insert and configured to engage said jaw body and said insert such that when said insert moves relative to said jaw body and said cam member, said cam member rotates about said longitudinal axis; engaging

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said insert teeth with the cylindrical member; imposing a gripping force on the cylindrical member; rotating said gripping apparatus, thereby moving said insert and rotating said cam member; and intensifying said gripping force (abstract; col. 3, lines 20-67; see "self tightening": col. 4, lines 35-43; col. 6, lines 43-64; col. 7, lines 63-67; col. 8, lines 1-14).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 2 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Penisson in view of Bouligny US 5,845,549. Penisson discloses hemispherical shaped camming surfaces (44). Bouligny discloses generally cylindrical camming surfaces (24) that engage the die inserts (16) along major portions of the longitudinal axis. It would have been obvious to one of ordinary skill at the time of the invention to modify the cam members of Penisson as taught by Bouligny to include cylindrical cam members in order to contact the inserts within a longer surface area for stronger force transfer.

Allowable Subject Matter

Claims 3,4,6-8,10,17,30,31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 19-21 and 26-28 are allowed.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther O. Okezie whose telephone number is (571) 272-8108. The examiner can normally be reached on Mon-Thurs 8-6:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EOO 5/24/06


GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER